IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 357 of 2006 (S/B)

Rakesh Kumar Tilara S/o Sri Diwan Singh Tilara,
Presently posted as Executive Engineer, Civil,
Rural Engineering Service Department,
Bageshwar.

……. Petitioner

Versus

1. State of Uttaranchal through its Secretary,
   Panchayat Raj and Rural Engineering Service Anubhag,
   Dehradun.
2. Chief Engineer,
   Rural Engineering Service,
   Uttaranchal, Dehradun.
3. Superintending Engineer,
   Rural Engineering Service,
   Kumaun Region, Nainital. …… Respondents

Mr. Arvind Vashishth, Advocate for the petitioner.
Mr. N.B. Tewari, Addl. Advocate General/ Chief Standing Counsel with Mr. Nanak Chand Gupta, Standing Counsel for the respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C. S. Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Arvind Vashishth, Advocate for the petitioner.

Mr. N.B. Tewari, Addl. Advocate General / Chief Standing Counsel with Mr. Nanak Chand Gupta, Standing Counsel for the respondents.

They are heard on admission.

2. Petitioner Rakesh Kumar Tilara has filed this writ petition for the following reliefs:

> "(i) A writ, order or direction in the nature of certiorari quashing the order dated 22.11.2006 passed by respondent no. 1 transferring the petitioner from Bageshwar to the post of Executive Engineer, Rural Engineering Service Division Champawat on administrative ground.
>
> (ii) A writ order or direction in the nature of mandamus commanding the respondents not to interfere

in any manner in functioning of petitioner at Executive Engineer Rural Engineering Service Bageshwar Division.

(iii) Any other writ order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances if the case.

(iv)Award cost of the petition to the Petitioner."

3. The petitioner, in substance, is challenging his transfer from Bageshwar to Champawat vide impugned order dated 22.11.2006 (Annexure No. 4).

4. On due consideration of the submissions of the learned counsel for the parties and the documents filed along with the writ petition, we do not find any infirmity in the impugned order of petitioner's transfer (Annexure No. 4), which may warrant interference by this Court.

5. The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily.

6. Consequently, CLMA No. 14714 of 2006 also stands dismissed.

(J.C.S. Rawat, J.) 06.12.2006

(Rajeev Gupta, C.J.) 06.12.2006

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